

CLOSED

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:11-cv-06230-CBA-RLM**

Ahmed v. U.S. Citizenship and Immigration Services et al
Assigned to: Chief Judge Carol Bagley Amon
Referred to: Magistrate Judge Roanne L. Mann
Cause: 05:552 Freedom of Information Act

Date Filed: 12/21/2011
Date Terminated: 01/03/2013
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Abdul Hakeim Thabet Ahmed**

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V.

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Defendant**U.S. Department of Homeland Security**

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Date Filed	#	Docket Text
12/21/2011	<u>1</u>	COMPLAINT against U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security Disclosure Statement on Civil Cover Sheet completed –yes,, filed by Abdul Hakeim Thabet Ahmed. (Attachments: # <u>1</u> Civil Cover Sheet) (Sica, Michele) (Entered: 12/22/2011)
12/21/2011		Summons Issued as to U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security. (Sica, Michele) (Entered: 12/22/2011)

12/21/2011		FILING FEE: \$ 350, receipt number 4653037858 (Sica, Michele) (Entered: 12/22/2011)
12/22/2011	<u>2</u>	SUMMONS Returned Executed by Abdul Hakeim Thabet Ahmed. U.S. Citizenship and Immigration Services served on 12/22/2011, answer due 2/21/2012; U.S. Department of Homeland Security served on 12/22/2011, answer due 2/21/2012. (Choudhury, Nusrat) (Entered: 12/22/2011)
01/23/2012	<u>3</u>	MOTION for Extension of Time to File Answer (<i>on consent</i>) in contemplation of dismissal of this action by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security. (Dunn, Scott) (Entered: 01/23/2012)
01/24/2012	<u>4</u>	ENDORSED ORDER granting <u>3</u> Motion for Extension of Time to Answer. U.S. Citizenship and Immigration Services and U.S. Department of Homeland Security answer due is extended to 3/6/2012. Ordered by Magistrate Judge Roanne L. Mann on 01/24/2012. (Maynard, Pat) (Entered: 01/24/2012)
03/05/2012	<u>5</u>	Second MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by Abdul Hakeim Thabet Ahmed. (Bardavid, Joshua) (Entered: 03/05/2012)
03/05/2012		ORDER: re <u>5</u> Motion for a three-week extension of time to Defendant's time to answer the complaint with consent. APPLICATION GRANTED. So Ordered by Chief Judge Carol Bagley Amon on 3/5/2012. (Liberatore, Marie) (Entered: 03/05/2012)
03/12/2012	<u>6</u>	SUMMONS Returned Executed by Abdul Hakeim Thabet Ahmed. (Choudhury, Nusrat) (Entered: 03/12/2012)
03/12/2012	<u>7</u>	SUMMONS Returned Executed by Abdul Hakeim Thabet Ahmed. (Choudhury, Nusrat) (Entered: 03/12/2012)
03/28/2012	<u>8</u>	MOTION for Extension of Time to File Answer (<i>on consent</i>) until April 27, 2012 by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security. (Dunn, Scott) (Entered: 03/28/2012)
03/28/2012	<u>9</u>	ENDORSED ORDER granting, on consent <u>8</u> Motion for Extension of Time to Answer. Defendants' time to answer is extended to 4/27/2012. Ordered by Magistrate Judge Roanne L. Mann on 3/28/2012. (Maynard, Pat) (Entered: 03/28/2012)
04/26/2012	<u>10</u>	MOTION for pre motion conference <i>related to a motion to dismiss for the Court's approval and signature</i> by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security. (Attachments: # <u>1</u> U.S. Citizenship & Immigration Services) (Dunn, Scott) (Entered: 04/26/2012)
05/04/2012	<u>11</u>	RESPONSE in Opposition re <u>10</u> MOTION for pre motion conference <i>related to a motion to dismiss for the Court's approval and signature</i> filed by Abdul Hakeim Thabet Ahmed. (Attachments: # <u>1</u> Exhibit) (Choudhury, Nusrat) (Entered: 05/04/2012)
05/09/2012		ORDER: Re <u>10 11</u> . A premotion conference will be held on MAY 23, 2012 at 11:30am before Chief Judge Amon in Courtroom 10 D. So Ordered by Chief Judge Carol Bagley Amon on 5/9/2012. (Liberatore, Marie) (Entered: 05/09/2012)
05/23/2012		Minute Entry: Premotion conference held before Chief Judge Amon on 5/23/2012. Appearances: For Plaintiff – Nusrat Choudhury (American Civil Liberties Union). For Defendants – AUSA Soctt Dunn. Defendants shall serve their summary judgment motion by 7/6/2012. Plaintiff to serve a response and cross-move for summary judgment by 7/27/2012. Defendants shall reply and respond by 8/17/2012. Plaintiff's reply due 8/24/2012. Oral argument is set for September 7, 2012 at 2:00pm in Courtroom 10 D. (Court Reporter Judy Johnson.) (Liberatore, Marie) (Entered: 05/23/2012)
06/26/2012	<u>12</u>	Proposed Scheduling Order <i>to be modified (on consent) for the Court's approval</i> by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security (Dunn, Scott) (Entered: 06/26/2012)
06/28/2012		ORDER: re <u>12</u> Request for a Proposed Scheduling Order filed by U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services with consent.

		APPLICATION GRANTED. Briefing schedule modified. Oral argument will be held on September 28, 2012 at 2:00pm before Chief Judge Amon in Courtroom 10 D. So Ordered by Chief Judge Carol Bagley Amon on 6/28/2012. (Liberatore, Marie) (Entered: 06/28/2012)
07/19/2012	<u>13</u>	Letter to inform the Court of service on Plaintiff in relation to its motion to dismiss, or in the alternative, for summary judgment by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security (Dunn, Scott) (Entered: 07/19/2012)
07/30/2012		<u>NOTICE – ORAL ARGUMENT RESCHEDULED</u> : Oral argument on defendants' motion will be held on October 30, 2012 at 2:30pm before Chief Judge Amon in Courtroom 10 D. (Liberatore, Marie) (Entered: 07/30/2012)
08/10/2012	<u>14</u>	Letter Regarding Service of Cross–Motion for Summary Judgment on Defendants by Abdul Hakeim Thabet Ahmed (Choudhury, Nusrat) (Entered: 08/10/2012)
08/14/2012	<u>15</u>	MOTION to Amend/Correct/Supplement <i>briefing schedule</i> by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security. (Dunn, Scott) (Entered: 08/14/2012)
08/15/2012		ORDER: re <u>15</u> Motion to amend the current briefing schedule on consent.APPLICATION GRANTED. Oral argument remains scheduled on October 30, 2012 at 2:30pm. So Ordered by Chief Judge Carol Bagley Amon on 8/15/2012. (Liberatore, Marie) (Entered: 08/15/2012)
09/28/2012	<u>16</u>	Cross MOTION for Partial Summary Judgment by Abdul Hakeim Thabet Ahmed. Responses due by 9/14/2012 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Rule 56.1 Statement, # <u>3</u> Declaration of Abdul Hakeim Thabet Ahmed, # <u>4</u> Declaration Joshua Bardavid, # <u>5</u> Declaration Nusrat J. Choudhury (with attached exhibits)) (Choudhury, Nusrat) (Entered: 09/28/2012)
09/28/2012	<u>17</u>	REPLY in Support re <u>16</u> Cross MOTION for Partial Summary Judgment filed by Abdul Hakeim Thabet Ahmed. (Attachments: # <u>1</u> Declaration Nusrat J. Choudhury (with attached exhibits)) (Choudhury, Nusrat) (Entered: 09/28/2012)
09/28/2012	<u>18</u>	Letter Accompanying Provision of Courtesy Copy of Parties' Summary Judgment Filings by Abdul Hakeim Thabet Ahmed (Choudhury, Nusrat) (Entered: 09/28/2012)
10/01/2012	<u>19</u>	NOTICE by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security of <i>MOTION</i> (Attachments: # <u>1</u> Cover Letter to Judge Amon, # <u>2</u> Memorandum in Support, # <u>3</u> Rule 56.1 Statement, # <u>4</u> Declaration of Jill A. Eggleston with Exhibits A–G, # <u>5</u> SECOND Declaration of Eggleston, # <u>6</u> Declaration of Joseph Tajés, # <u>7</u> Reply Memo in Support, # <u>8</u> Additional 10 pages to Reply Memo in Support) (Dunn, Scott) Modified to motion on 1/2/2013 (Lee, Tiffeny). (Entered: 10/01/2012)
10/01/2012	<u>20</u>	REPLY in Support of Defendants' Motion to Dismiss the Complaint for Lack of Subject Matter Jurisdiction, or, In the Alternative, for Summary Judgment, and in Opposition to Plaintiff's Cross Motion for Partial Summary Judgment filed by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security. (Attachments: # <u>1</u> Additional 10 pages to Reply) (Dunn, Scott) (Entered: 10/01/2012)
10/26/2012	<u>21</u>	Letter informing the Court that defendants have supplemented their release by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security (Attachments: # <u>1</u> Exhibit) (Dunn, Scott) (Entered: 10/26/2012)
11/02/2012		NOTICE OF RESCHEDULING OF ORAL ARGUMENT: Due to the hurricane, the oral argument previously scheduled for October 30, 2012 is now set for November 15, 2012 at 02:30 PM in Courtroom 10D South before Chief Judge Carol Bagley Amon. (Banker, Michelle) (Entered: 11/02/2012)
11/13/2012	<u>22</u>	MOTION to Adjourn Conference (<i>oral argument</i>) scheduled for November 15, 2012 @ 2:30 pm <i>resecheduled to any of the following dates: December 11, 12, 18, 19 and 20, 2012</i> by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security. (Dunn, Scott) (Entered: 11/13/2012)

11/13/2012		NOTICE OF RESCHEDULING OF ORAL ARGUMENT: Defendant's motion <u>22</u> to adjourn the Oral Argument currently scheduled for November 15, 2012 at 2:30 p.m. is granted. Oral Argument on <u>16</u> cross motions for summary judgment is rescheduled to Wednesday, November 21 at 9:30 a.m. in Courtroom 10D South. So Ordered by Chief Judge Carol Bagley Amon on 11/13/2012.(Banker, Michelle) (Entered: 11/13/2012)
11/20/2012	<u>23</u>	Letter <i>in response to Defendants' November 13, 2012 request for an adjournment of oral argument</i> by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security (Dunn, Scott) (Entered: 11/20/2012)
11/21/2012	<u>24</u>	Minute Entry for proceedings held before Chief Judge Carol Bagley Amon: Motion Hearing held on 11/21/2012 re <u>16</u> Cross MOTION for Partial Summary Judgment. The Court will conduct in camera review of the four documents still at issue. The government is directed to provide these documents, plus a sheet describing the acronyms referenced in the documents, to the Court as soon as possible but not later than Tuesday, November 27, 2012. The government may also submit an additional affidavit or declaration in further support of withholding these documents by Tuesday, November 27, 2012. The government is directed to provide plaintiff with a copy of any additional affidavit or declaration submitted to the Court. So Ordered. (Court Reporter Marie Foley.) (Banker, Michelle) (Fernandez, Erica). (Entered: 11/21/2012)
11/30/2012	<u>25</u>	ORDER TO SHOW CAUSE: the Court orders defendants to show cause by December 4, 2012, why the following should not be released: (1) The last three words of the first paragraph of the CBP Memoranda; (2) The entire first sentence of the second paragraph of the CBP Memoranda; (3) The first ten words of the last sentence of the second paragraph of the CBP Memoranda. Ordered by Chief Judge Carol Bagley Amon on 11/30/2012. (Fernandez, Erica) (Entered: 11/30/2012)
12/04/2012	<u>26</u>	MOTION for Order to Show Cause <i>issued for a two day extension in order to respond (on consent)</i> by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security. (Dunn, Scott) (Entered: 12/04/2012)
12/05/2012	<u>27</u>	ORDER granting <u>26</u> Motion for Order to Show Cause; Defts request that they be provided until 12/6/12 to respond to the Court's Order to Show Cause; Application granted. Ordered by Chief Judge Carol Bagley Amon on 12/5/2012. (Fernandez, Erica) (Entered: 12/05/2012)
12/06/2012	<u>28</u>	Letter <i>of filing of materials for In Camera and Ex Parte inspection</i> by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security (Dunn, Scott) (Entered: 12/06/2012)
12/07/2012	<u>29</u>	Letter <i>Response to Defendants' 12/6/2012 Letter Providing Notice of Filing of Materials for In Camera, Ex Parte Review</i> by Abdul Hakeim Thabet Ahmed (Choudhury, Nusrat) (Entered: 12/07/2012)
12/10/2012	<u>30</u>	Per plaintiff's request in <u>29</u> , The defendants are directed to provide redacted copies of the submissions to plaintiff or show cause why that should not be done by 12/12/12. So Ordered by Chief Judge Carol Bagley Amon on 12/10/2012. (Banker, Michelle) (Entered: 12/10/2012)
12/12/2012	<u>31</u>	RESPONSE TO ORDER TO SHOW CAUSE by U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security (Attachments: # <u>1</u> Memorandum of Law in Response to Order to Show Cause, # <u>2</u> Hoffman Declaration, # <u>3</u> Hardy Declaration) (Dunn, Scott) (Entered: 12/12/2012)
12/17/2012	<u>32</u>	ORDER: Upon Ahmed's request, the Court ordered defendants to file redacted copies of the ex parte submission, which defendants did on December 12, 2012. If plaintiffs wish to file a response to the defendants' submissions, they should do so by Friday, December 21, 2012. Ordered by Chief Judge Carol Bagley Amon on 12/17/2012. (Fernandez, Erica) (Entered: 12/17/2012)
12/21/2012	<u>33</u>	RESPONSE TO ORDER TO SHOW CAUSE by Abdul Hakeim Thabet Ahmed (Choudhury, Nusrat) (Entered: 12/21/2012)
01/02/2013	<u>34</u>	MEMORANDUM & ORDER: Defendants' motion for summary judgment is granted in its entirety and Ahmed's partial cross-motion is denied. The Clerk of

		Court is directed to enter judgment in favor of defendants and close this case. So Ordered by Chief Judge Carol Bagley Amon on 1/2/2013. (fwd'd for jgm) (Lee, Tiffeny) (Entered: 01/02/2013)
01/03/2013	<u>35</u>	CLERK'S JUDGMENT directing that Defendants motion for summary judgment is granted in its entirety; that Plaintiffs cross-motion for partial summary judgment is denied; and that judgment is hereby entered in favor of Defendants United States Citizenship and Immigration Services and United States Department of Homeland Security and against Plaintiff Abdul Hakeim Thabet Ahmed. Ordered by Michele Gapinski, Chief Deputy for Court Operations, dated 1/2/13. (Fernandez, Erica) (Entered: 01/03/2013)